

Notice of Public Hearing

Pursuant to Section 22215 of Public Act 306 of 1969, as amended, the Michigan Department of Health and Human Services (MDHHS) will hold a hearing on Certificate of Need (CON) Review Standards.

Date: Wednesday, February 17, 2021

Time: 9:30 a.m.

Join by Zoom from PC, Mac, Linux, iOS or Android via Zoom:

<https://michigan-host.zoom.us/j/84466529453>

Or by Telephone:

USA (215) 446-3656

USA (888) 363-4734 (US Toll Free)

Conference code: 212089



CON Review Standards for Psychiatric Beds and Services

The proposed changes include the following:

1. Section 3(1) of the Addendum: Update the base numbers based on the new percentages.
2. Section 17(1): Update the dates.



CON Review Standards for Magnetic Resonance Imaging (MRI) Services

The proposed changes include the following:

1. Section 2(1)(II): Defines "Public Health Epidemic" - "PUBLIC HEALTH EPIDEMIC" MEANS AN EPIDEMIC IDENTIFIED AND CONTROLLED PURSUANT TO MCL 333.2253(1) OR MCL 333.2453(1), OR AN EPIDEMIC OR PANDEMIC AS DECLARED BY THE CENTERS FOR DISEASE CONTROL (CDC) OR THE WORLD HEALTH ORGANIZATION (WHO).
2. Section 4(5)(c): Allows for the annualizing of procedure data if the application is utilizing an MRI List where the reporting period is impacted by a public health epidemic when replacing an existing fixed MRI service and its unit(s) to a new site.

Each existing MRI unit to be relocated performed at least the applicable minimum number of MRI adjusted procedures set forth in Section 14 based on the most recently published MRI Service Utilization List as of the date an application is deemed submitted by the Department unless one of the following requirements OF SUBSECTION (i), (ii), OR (iii) are met: IF THE APPLICATION IS UTILIZING AN MRI LIST WHERE THE DEPARTMENT DETERMINES THAT THE REPORTING PERIOD IS IMPACTED BY A PUBLIC HEALTH EPIDEMIC AND THE FACILITY WAS PREVENTED BY LAW FROM OPERATING AT FULL CAPACITY DUE TO THE PUBLIC HEALTH EPIDEMIC, THE APPLICANT MAY ANNUALIZE THEIR MRI ADJUSTED PROCEDURES AND SHALL INCLUDE ONLY THOSE MONTHS AND PROCEDURES PERFORMED WHEN THE FACILITY WAS NOT PREVENTED BY LAW FROM OPERATING AT FULL CAPACITY DUE TO THE PUBLIC HEALTH EPIDEMIC. IF

USING ANNUALIZED DATA, THE APPLICANT SHALL SUBMIT AN AFFIDAVIT CONFIRMING THE MONTHS THAT THE FACILITY WAS PREVENTED BY LAW FROM OPERATING AT FULL CAPACITY DUE TO THE PUBLIC HEALTH EPIDEMIC.

3. Section 5(2): Allows for the annualizing of procedure data if the application is utilizing an MRI List where the reporting period is impacted by a public health epidemic when expanding an MRI service.

IF THE APPLICANT IS APPLYING FOR EXPANSION, AND THE APPLICATION IS UTILIZING AN MRI LIST WHERE THE DEPARTMENT DETERMINES THAT THE REPORTING PERIOD IS IMPACTED BY A PUBLIC HEALTH EPIDEMIC, AND THE FACILITY WAS PREVENTED BY LAW FROM OPERATING AT FULL CAPACITY DUE TO THE PUBLIC HEALTH EPIDEMIC, THE APPLICANT MAY ANNUALIZE THEIR MRI ADJUSTED PROCEDURES AND SHALL INCLUDE ONLY THOSE MONTHS AND PROCEDURES PERFORMED WHEN THE FACILITY WAS NOT PREVENTED BY LAW FROM OPERATING AT FULL CAPACITY DUE TO THE PUBLIC HEALTH EPIDEMIC. IF USING ANNUALIZED DATA, THE APPLICANT SHALL SUBMIT AN AFFIDAVIT CONFIRMING THE MONTHS THAT THE FACILITY WAS PREVENTED BY LAW FROM OPERATING AT FULL CAPACITY DUE TO THE PUBLIC HEALTH EPIDEMIC.

4. Section 6(4): Allows for the annualizing of procedure data if the application is utilizing an MRI List where the reporting period is impacted by a public health epidemic when acquiring an MRI service.

IF THE APPLICANT IS APPLYING FOR ACQUISITION, AND THE APPLICATION IS UTILIZING AN MRI LIST WHERE THE DEPARTMENT DETERMINES THAT THE REPORTING PERIOD IS IMPACTED BY A PUBLIC HEALTH EPIDEMIC, AND THE FACILITY WAS PREVENTED BY LAW FROM OPERATING AT FULL CAPACITY DUE TO THE PUBLIC HEALTH EPIDEMIC, THE APPLICANT MAY ANNUALIZE THEIR MRI ADJUSTED PROCEDURES AND SHALL INCLUDE ONLY THOSE MONTHS AND PROCEDURES PERFORMED WHEN THE FACILITY WAS NOT PREVENTED BY LAW FROM OPERATING AT FULL CAPACITY DUE TO THE PUBLIC HEALTH EPIDEMIC. IF USING ANNUALIZED DATA, THE APPLICANT SHALL SUBMIT AN AFFIDAVIT CONFIRMING THE MONTHS THAT THE FACILITY WAS PREVENTED BY LAW FROM OPERATING AT FULL CAPACITY DUE TO THE PUBLIC HEALTH EPIDEMIC.

5. Section 20(1): Update the dates.



Oral comments may be presented during the hearing on Wednesday, February 17, 2021, or submitted in writing by sending an email to the following email address: MDHHS-ConWebTeam@michigan.gov

Please submit written comments no later than 5:00 p.m., Wednesday, February 24, 2021.

If you have any questions or concerns, please contact Tania Rodriguez at rodriguezt1@michigan.gov.